

RULES PERTAINING TO THE PRACTICE OF VETERINARY MEDICINE

TEXAS ADMINISTRATIVE CODE
TITLE 22, PART 24
CHAPTER 577



TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

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**TEXAS ADMINISTRATIVE CODE
TITLE 22 EXAMINING BOARDS
PART 24 TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**

CHAPTER 577 GENERAL ADMINISTRATIVE DUTIES

SUBCHAPTER A BOARD MEMBERS AND MEETINGS—DUTIES

§577.1 Officers

The officers of the Board shall be a president, a vice president, and a secretary. The president is appointed by the Governor. The vice-president and secretary are elected by the Board members at the first meeting of each fiscal year; take office immediately after the close of such meeting; serve for one year; and may be re-elected.

Source Note: The provisions of this §577.1 adopted to be effective January 1, 1976; amended to be effective March 22, 1988, 13 TexReg 1191; amended to be effective July 19, 2007, 32 TexReg 4398

§577.2 Meetings

- (a) The president shall preside at meetings of the Board. In his absence, the vice-president shall preside. In the absence of both the Board president and vice-president, the secretary shall preside.
- (b) The Board shall hold a minimum of two regular meetings each year for the purpose of conducting Board business. Other meetings may be held on the call of the President or upon petition to the President of two or more Board members. The Board may hold meetings by telephone conference call or video conference call provided that the requirements of the Government Code, §551.125 and/or §551.127, are met.
- (c) An agenda for each board meeting shall be posted in accordance with law and copies shall be sent to the board members.
- (d) Board and committee meetings shall be conducted pursuant to the provisions of Robert's Rules of Order Newly Revised unless the board by rule adopts a different procedure.
- (e) Meetings of the board are open to the public unless such meetings are conducted in executive session pursuant to state law.
- (f) In order that board meetings may be conducted safely, efficiently, and with decorum, attendees may not engage in disruptive activity that interferes with board proceedings.
- (g) Members of the public shall not address or question board members during meetings unless recognized by the board's presiding officer pursuant to a published agenda item.
- (h) Journalists have the same right of access to board meetings conducted in open session as other members of the public and are subject to the same requirements.
- (i) The board's presiding officer may exclude from a meeting any person who, after being duly warned, persists in disruptive activity that interferes with board proceedings.
- (j) Five members of the Board shall constitute a quorum and all members shall have a vote on all matters except where a Board member may be recused from voting for good cause. Decisions must be made by affirmative vote of a majority of the members present and voting.

(k) Recording of meetings

- (1) A person may record all or part of the proceedings of a public Board meeting by means of a tape recorder, video camera, or other means of audio or visual reproduction.
- (2) In order to minimize disruption of the normal order of Board business, the executive director or Board president may direct any individual wishing to record or videotape the meeting as to equipment location, placement, and the manner in which the recording is conducted.

(l) Executive Session.

- (1) The board may meet in executive session pursuant to law.
- (2) An executive session of the board shall not be held unless a quorum of the board has first been convened in open meeting. If during such open meeting, a motion is passed by the board to hold an executive session, the presiding officer shall publicly announce that an executive session will be held.
- (3) The presiding officer of the board shall announce the date and time at the beginning and end of the executive session.
- (4) A certified agenda of the executive session shall be prepared.

Source Note: *The provisions of this §577.2 adopted to be effective January 1, 1976; amended to be effective March 22, 1988, 13 TexReg 1191; amended to be effective November 4, 1994, 19 TexReg 8448; amended to be effective August 20, 1996, 21 TexReg 7533; amended to be effective March 22, 2005, 30 TexReg 1634; amended to be effective July 17, 2006, 31 TexReg 5621; amended to be effective April 28, 2010, 35 TexReg 3283; amended to be effective October 20, 2010, 35 TexReg 9286*

§577.3 Compensation

Board members shall receive reimbursement at the statutory per diem rate for each day actually engaged in official Board duties. Reimbursement for travel expenses shall be made in accordance with amounts established by state law. Official duties include preparation and review of examinations, attendance at official Board meetings, other meetings as directed by the President of the Board, or meetings required by statute or Board rule. Official duties also include the time spent in direct travel to and from the location of Board duties.

Source Note: *The provisions of this §577.3 adopted to be effective January 1, 1976; amended to be effective August 20, 1996, 21 TexReg 7533.*

§577.5 Advisory Committees

- (a) With statutory or board authorization, the president may appoint, disband, or reconvene advisory committees as deemed necessary. Such committees shall have and exercise such authority as may be granted by the board. At the time the president creates an advisory committee, the president will assign it a purpose, role, responsibility and goal.
- (b) The president will determine the composition of the advisory committee, and determine the necessary qualifications of advisory committee members, to ensure that the advisory committee is made up of members with experience or backgrounds necessary to represent stakeholder viewpoints on the issue before the advisory committee.
- (c) Advisory committee members will serve one year terms, unless the president chooses to disband the advisory committee before one year has elapsed. Committee members may be reappointed at the end of their terms, at the discretion of the president.

- (d) Advisory committees will be composed of no less than three and no more than six members. A quorum is a simple majority of the total number of appointed committee members.
- (e) A board member or members appointed by the President of the Board or the Board may serve as a liaison(s) to a committee and report to the Board the recommendations of the committee for consideration by the Board.
- (f) Each committee shall select from among its members a chairperson who shall report to the agency or Board as needed.
- (g) Each committee's work and usefulness shall be evaluated annually.
- (h) Committee members will be expected to attend meetings. The chairperson has the discretion to recommend the dismissal of a member who does not regularly attend. The Board or Executive Director has the authority to approve the dismissal of a member.
- (i) Advisory committees chairs may invite individuals as expert resources to participate in committee discussions and deliberations. Invited experts serve as ad hoc members and do not have voting privileges.
- (j) The committees will meet as needed. Meeting times will be scheduled by the chairperson of each committee who shall determine whether a majority of the members will be in attendance to establish a quorum.
- (k) Advisory committees will provide notice of meetings, as feasible, on the Secretary of State's web site to allow the public an opportunity to participate.
- (l) The decisions of the committee are advisory only.

Source Note: *The provisions of this §577.5 adopted to be effective May 4, 2014, 39 TexReg 3431*

SUBCHAPTER B STAFF

§577.11 Appointments and Fund Disbursements

The president of the board is authorized to appoint a member of the board, the executive director, or designee, to sign each voucher and any other instrument required by state law to be signed by the board for disbursement of funds or other purposes, or both.

Source Note: *The provisions of this §577.11 adopted to be effective January 1, 1976; amended to be effective September 30, 1986, 11 TexReg 3969; amended to be effective January 21, 1987, 12 TexReg 68; amended to be effective March 22, 1988, 13 TexReg 1191.*

§577.12 Directory of Licensees

Upon request the Board will furnish a complete or partial listing of currently licensed veterinarians, equine dental providers, and licensed veterinary technicians, in printed or electronic format. Costs for the directory will vary depending on the information requested and will be in accordance with the Office of the Attorney General 1 TAC §§70.1 - 70.11 (relating to Cost of Copies of Public Information).

Source Note: *The provisions of this §577.12 adopted to be effective January 1, 1976; amended to be effective August 20, 1996, 21 TexReg 7534; amended to be effective April 28, 2010, 35 TexReg 3283; amended to be effective May 4, 2014, 39 TexReg 3431*

§577.15 Fee Schedule

The Texas Board of Veterinary Medical Examiners has established the following fixed fees as reasonable and necessary for the administration of its functions. Other variable fees exist, including but not limited to costs as described in §575.10 of this title (relating to Costs of Administrative Hearings), and are not included in this schedule.

Figure: 22 TAC §577.15

(a) APPLICATION FOR INITIAL LICENSE

Type of License Application	Total Fee
Veterinary Regular License	\$515
Veterinary Special License	\$575
Veterinary Provisional License	\$600
Veterinary Temporary License	\$200
Equine Dental Provider License	\$100
Veterinary Technician License	\$50

(b) LICENSE RENEWALS.

(1) Current License Renewals

Type Of License	Board Fees
Veterinary Regular License	\$159
Veterinary Special License	\$174
Veterinary Inactive License	\$105
Equine Dental Provider License	\$65
Equine Dental Provider Inactive License	\$55
Veterinary Technician Regular License	\$35
Veterinary Technician Inactive License	\$25

(2) Expired License Renewals – Less Than 90 Days Delinquent

Type Of License	Board Fees
Veterinary Regular License	\$234
Veterinary Special License	\$259
Veterinary Inactive License	\$155
Equine Dental Provider License	\$95
Equine Dental Provider Inactive License	\$80
Veterinary Technician Regular License	\$50
Veterinary Technician Inactive License	\$35

(3) Expired License Renewals – Greater Than 90 Days and Less Than 1 Year Delinquent

Type Of License	Board Fees
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Veterinary Regular License	\$309
Veterinary Special License	\$344
Veterinary Inactive License	\$205
Equine Dental Provider License	\$125
Equine Dental Provider Inactive License	\$105
Veterinary Technician Regular License	\$65
Veterinary Technician Inactive License	\$45

(c) SPECIALIZED LICENSE CATEGORIES

Type Of License	Total Fee
Veterinary Reinstatement	\$250
Veterinary Re-Activation	\$150
Equine Dental Provider Re-Activation	\$25
Veterinary Technician Re-Activation	\$25

(d) OTHER FIXED FEES AND CHARGES

- (1) Criminal History Evaluation Letter: \$32
- (2) Returned Check Fee: \$25
- (3) Duplication of License: \$40
- (4) Letter of Good Standing: \$25
- (5) Continuing Education Approval Review Process: \$25
- (6) Continuing Education Approval Review submitted less than 30 days prior to the continuing education event: \$50
- (7) Equine Dental Certification approval review process: \$1500

Source Note: The provisions of this §577.15 adopted to be effective November 17, 1993, 18 TexReg 8203; amended to be effective April 6, 1995, 20 TexReg 2217; amended to be effective September 6, 1995, 20 TexReg 6409; amended to be effective November 12, 1996, 21 TexReg 10814; amended to be effective November 6, 1997, 22 TexReg 10661; amended to be effective October 25, 1998, 23 TexReg 10869; amended to be effective November 7, 1999, 24 TexReg 9612; amended to be effective July 4, 2000, 25 TexReg 6325; amended to be effective November 5, 2000, 25 TexReg 10742; amended to be effective November 19, 2001, 26 TexReg 9386; amended to be effective November 24, 2002, 27 TexReg 10924; amended to be effective November 11, 2003, 28 TexReg 9834; amended to be effective November 8, 2005, 30 TexReg 7227; amended to be effective November 6, 2006, 31 TexReg 9033; amended to be effective November 25, 2007, 32 TexReg 8314; amended to be effective November 22, 2009, 34 TexReg 8038; amended to be effective August 1, 2010, 35 TexReg 6539; amended to be effective May 29, 2011, 36 TexReg 3192; amended to be effective November 20, 2011, 36 TexReg 7668; amended to be effective December 16, 2012, 37 TexReg 9774; amended to be effective December 23, 2013, 38 TexReg 9367; amended to be effective September 3, 2014, 39 TexReg 6860; amended to be effective December 23, 2014, 39 TexReg 10020; amended to be effective November 22, 2015, 40 TexReg 8031

§577.16 Responsibilities of Board and Staff

- (a) The Texas Board of Veterinary Medical Examiners is responsible for establishing policies and promulgating rules to establish and maintain a high standard of integrity, skills, and practice in the professions of veterinarians, licensed veterinary technicians, and equine dental providers in accordance with the Veterinary Licensing Act.

- (b) The board may employ an executive director to be responsible for administering policies, rules, and directives as set by the board.

Source Note: *The provisions of this §577.16 adopted to be effective November 9, 1993, 18 TexReg 7474; amended to be effective August 26, 2012, 37 TexReg 6313; amended to be effective May 4, 2014, 39 TexReg 3432*

§577.17 Purchasing Protest Procedures

The Board adopts by reference the rules promulgated by the Texas Building and Procurement Commission regarding purchasing protest procedures as set forth in Subchapter A of 1 TAC §111.3.

Source Note: *The provisions of this §577.17 adopted to be effective March 15, 2000, 25 TexReg 2064; amended to be effective November 7, 2004, 29 TexReg 10268*

§577.18 Historically Underutilized Businesses

The Board adopts by reference the rules promulgated by the Texas Building and Procurement Commission which are set forth in Subchapter B of 1 TAC §§111.11 - 111.28 regarding Historically Underutilized Business Program.

Source Note: *The provisions of this §577.18 adopted to be effective July 22, 2001, 26 TexReg 5379; amended to be effective November 7, 2004, 29 TexReg 10268*

§577.20 Employee Education and Training

- (a) The board may use state funds to provide education and training for its employees in accordance with the State Employees Training Act (Texas Government Code, §§656.041 - 656.104).
- (b) The education or training shall be related to the employee's current position or prospective job duties at the board.
- (c) The board's education and training program benefits both the board and the employees participating by:
- (1) preparing for technological and legal developments;
 - (2) increasing work capabilities;
 - (3) increasing the number of qualified employees in areas for which the board has difficulty in recruiting and retaining employees; and
 - (4) increasing the competence of agency employees.
- (d) Board employees may be required to complete an education or training program related to the employee's duties or prospective duties as a condition of employment.
- (e) Participation in an education or training program requires the appropriate level of approval prior to participation and is subject to the availability of funds within the agency's budget.
- (f) The employee education and training program for the board may include:
- (1) mandatory agency-sponsored training required for all employees;
 - (2) education relating to technical or professional certifications and licenses;
 - (3) education and training relating to the promotion of employee development;
 - (4) employee-funded external education;
 - (5) board-funded external education; and

(6) other board-sponsored education and training determined by the board to fulfill the purposes of the State Employees Training Act.

(g) The board's Human Resources Director is designated as the administrator of the board's education and training program.

(h) The administrator or the administrator's designee shall develop policies for administering each of the components of the employee education and training program. These policies shall include:

- (1) eligibility requirements for participation;
- (2) approval procedures for participation; and
- (3) obligations of program participants.

(i) Approval to participate in any portion of the board's education and training program shall not in any way affect an employee's at-will status or constitute a guarantee or indication of continued employment, nor shall it constitute a guarantee or indication of future employment in a current or prospective position.

(j) Permission to participate in any education and training program may be withdrawn if the board determines, in its sole discretion, that participation would negatively impact the employee's job duties or performance.

Source Note: *The provisions of this §577.20 adopted to be effective January 18, 2011, 36 TexReg 143*